

REMARKS

Claims 1-26 were pending in this application. Applicant has added claims 27 and 28. Accordingly, claims 1-28 are under consideration. Applicant maintains that the amendments do not introduce any new matter.

Election of Species

On April 29, 2002, the Examiner contacted the undersigned with an Election of Specie Requirement. Specifically, the Examiner required Applicant to elect a single specie of SERMs and estrogens.

Responsive to the Election of Species Requirement, for the SERM compound, Applicant elects the molecular structure identified as EM-652.HCl in claims 17; and for estrogen precursor, Applicant elects 17 $\beta$ -estradiol as identified in claim 20. Claim 27 related to the elected species has been added herein. Claims 1 and 2 are generic to the elected species.

Furthermore, dehydroepiandrosterone (DHEA) is Applicant's preferred additional agent as defined in claim 2. Claim 28 related to the elected species including the preferred additional agent has also added herein.

In light of the foregoing, it is respectfully submitted that this application is now in condition to be allowed and the early issuance of a Notice of Allowance is respectfully solicited. If there are any issues or amendments the Examiner wishes to discuss, the Examiner is encouraged to contact the undersigned.

I hereby certify that this correspondence is being transmitted via facsimile to the Assistant Commissioner for Patents at facsimile No. 703-746-6874, on April 30, 2002:

Charles C. Achkar  
Name of applicant, assignee or  
Registered Representative

*Charles Achkar*

Signature  
April 30, 2002

Date of Signature

WOG/CCA:lac

00562138.1

Respectfully submitted,

*Charles Achkar*

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**APPENDIX A**  
**"Clean" Version of Each Paragraph/Section/Claim**  
**37 C.F.R. § 1.121(b)(ii) and (c)(i)**

**CLAIMS (with indication of amended or new):**

(NEW) 27. The method of claim 1, wherein said selective estrogen receptor modulator is EM-652.HCl and said estrogen is 17 $\beta$ -estradiol.

(NEW) 28. The method of claim 2, wherein said selective estrogen receptor modulator is EM-652.HCl, said estrogen is 17 $\beta$ -estradiol and said additional agent is dehydroepiandrosterone.